

**FAX: 866-390-7185**

Marlene H Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

## CC Docket No. 02-6

Submitted by:

Funding Request No: 2501663

1. The first part of the document is a letter from the President of the United States to the Congress, dated January 3, 1862. It is a very long letter, and it contains a great deal of information about the state of the country at that time. It is a very important document, and it is one of the most interesting documents in the collection.

We prepared and filed the BEAR forms for the above mentioned FRN. It appeared SLD/USAC was aware of Mr. Hunts problems and most or all of the BEARs we submitted that were tied to 471s Mr. Hunt was involved with went through an invoice review.

On May 18, 2015, the reviewer sent her request for documents as part of her invoice review. Her email clearly stated: "If your financial institution does not retained canceled checks as proof of payment or used other methods, please provide other documentation that validates payment".

On May 24, 2015, the response with documentation was sent to the reviewer along with our Letter of Agency and a request that she communicate directly with me as per the LOA. The bank does not provide canceled checks. The documents we included were: the LOA; her original request for information, the spreadsheet we use to prepare the BEARs; invoices from the provider for all twelve months; the required signed certification and the bank statements. The bank statements clearly identified the bank and the name of the account holder (Pillager School District). The amount of the check was highlighted on each bank statement that was consistent with the monthly amounts entered on our spreadsheet that was also consistent with each monthly statement that was provided.

The first sentence of the email stated in bold print: **"Please acknowledge receipt of this email with attachments so we have documentation for our files to show it was sent and received within the time allowed."**

In June, having heard nothing I called the reviewer. I was concerned that the email had not gone through since it had several large attachments. She assured me that there was a lot to go through and she was still reviewing the information and would let me know when the review was complete. I relied on her assurance.

On July 5, 2015, I had still heard nothing. I forwarded the email with all attachments. I stated: **"Please acknowledge receipt of this email that was sent May 24, 2015. What is the status and/or do you need more information?"** I heard nothing. I sent the same email on July 26, 2015.

On July 30, 2015, I received an email from her stating: "The review of the invoice was completed in May. It was not paid". This was interesting because the only communication I had from the reviewer was when I called her in JUNE and she stated it was still being reviewed.

After numerous calls to the Client Services Bureau I discovered that any and all communications were sent to Mr. Hunt who most likely didn't receive them. She had the Letter of Agency and it was my understanding she would communicate with me.

Between Mr. Hunt not being "available" to receive the communications and the reviewer not communicating with me at all, I had no way of knowing that we would need to pursue other options.

Out of desperation, I contacted Mr. Mick Kraft at USAC. It was determined that the only option we have is to file an appeal with the FCC requesting a waiver of the rules for filing invoice deadline extensions since we did not get notice of the decision to deny the payment until after the deadline for appealing to USAC.

I might also add that the "reason" the reviewer rejected the payment was because we did not include canceled checks even though her email clearly stated that other documentation could be submitted if

the bank did not furnish the canceled checks. I'm told that had I stated in my email that the checks were not available it might not have been rejected. I didn't think it was necessary since her email clearly stated other proof could be submitted.

Granting the deadline extension will in no way promote waste, fraud or abuse. The FCC has demonstrated waiving guidelines and procedures for good cause. Our position is that this request shows good cause.

The payments have been made to the provider and we are now simply requesting a waiver of the invoice deadline extension rule so the applicant can be reimbursed. None of the errors were made by the applicant. We respectfully request approval of the waiver which will allow the school district to recover funds that were committed and paid for in full in a timely manner.

For the Applicant

A handwritten signature in black ink, reading "Barbara E. Berkenpas". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

E-Rate Complete, LLC

CRN: 16043592

Barbara E. Berkenpas, JD

Ph: 712-724-6104

FAX: 866-390-7185

Email: [barb@eratecomplete.com](mailto:barb@eratecomplete.com)